

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

STACY LYNN WADSWORTH
14290 Davos Drive
Truckee, CA 96161

Registered Nurse License No. 610857

Respondent

Case No. 2011-437

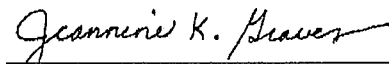
OAH No. 2010120649

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **August 12, 2011.**

- IT IS SO ORDERED **August 12, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 **STACY LYNN WADSWORTH**
13 **14290 Davos Drive**
Truckee, California 96161

14 **Registered Nurse License No. RN 610857**

15 Respondent.

Case No. 2011-437

OAH No. 2010120649

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
21 Registered Nursing. She brought this action solely in her official capacity and is represented in
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Karen R. Denvir,
23 Deputy Attorney General.

24 2. Stacy Lynn Wadsworth (Respondent) is representing herself in this proceeding and
25 has chosen not to exercise her right to be represented by counsel.

26 3. On or about December 19, 2002, the Board of Registered Nursing issued Registered
27 Nurse License No. RN 610857 to Stacy Wadsworth (Respondent). The Registered Nurse License
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1 was in full force and effect at all times relevant to the charges brought in Accusation No. 2011-
2 437 and will expire on November 30, 2012, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2011-437 was filed before the Board of Registered Nursing (Board),
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
6 and all other statutorily required documents were properly served on Respondent on November 9,
7 2010. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
8 Accusation No. 2011-437 is attached as Exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, and understands the charges and allegations in
11 Accusation No. 2011-437. Respondent also has carefully read, and understands the effects of this
12 Stipulated Surrender of License and Order.

13 6. Respondent is fully aware of her legal rights in this matter, including the right to a
14 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
15 her own expense; the right to confront and cross-examine the witnesses against her; the right to
16 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
17 compel the attendance of witnesses and the production of documents; the right to reconsideration
18 and court review of an adverse decision; and all other rights accorded by the California
19 Administrative Procedure Act and other applicable laws.

20 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
21 every right set forth above.

22 CULPABILITY

23 8. Respondent understands that the charges and allegations in Accusation No. 2011-437,
24 if proven at a hearing, constitute cause for imposing discipline upon her Registered Nurse
25 License.

26 9. For the purpose of resolving the Accusation without the expense and uncertainty of
27 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual
28 basis for the charges in the Accusation and that those charges constitute cause for discipline.

1 Respondent hereby gives up her right to contest that cause for discipline exists based on those
2 charges.

3 10. Respondent understands that by signing this stipulation she enables the Board to issue
4 an order accepting the surrender of her Registered Nurse License without further process.

5 CONTINGENCY

6 11. This stipulation shall be subject to approval by the Board of Registered Nursing.
7 Respondent understands and agrees that counsel for Complainant and the staff of the Board of
8 Registered Nursing may communicate directly with the Board regarding this stipulation and
9 surrender, without notice to or participation by Respondent. By signing the stipulation,
10 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
11 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
12 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be
13 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
14 between the parties, and the Board shall not be disqualified from further action by having
15 considered this matter.

16 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of
17 License and Order, including facsimile signatures thereto, shall have the same force and effect as
18 the originals.

19 13. This Stipulated Surrender of License and Order is intended by the parties to be an
20 integrated writing representing the complete, final, and exclusive embodiment of their agreement.
21 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,
22 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order
23 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing
24 executed by an authorized representative of each of the parties.

25 14. In consideration of the foregoing admissions and stipulations, the parties agree that
26 the Board may, without further notice or formal proceeding, issue and enter the following Order:

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ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. RN 610857, issued to Respondent Stacy Lynn Wadsworth, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

2. Respondent shall lose all rights and privileges as a registered nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2011-437 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If and when Respondent's license is reinstated, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$22,040.35. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.

6. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

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ACCEPTANCE

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 06/08/2011 Stacy Lynn Wadsworth
STACY LYNN WADSWORTH
Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: June 20, 2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
ARTHUR D. TAGGART
Supervising Deputy Attorney General

Karen R. Denvir
KAREN R. DENVER
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 2011-437

RECEIVED BY THE
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20535

1 EDMUND G. BROWN JR.
Attorney General of California
2 ARTHUR D. TAGGART
Supervising Deputy Attorney General
3 KAREN R. DENVIR
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Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **STACY LYNN WADSWORTH**
14 **aka STACY LYNN COVERT**

14 14290 Davos Drive
Truckee, California 96161

15 **Registered Nurse License No. 610857**

16 Respondent.

Case No. 2011-437

ACCUSATION

17
18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Interim
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 2. On or about December 19, 2002, the Board issued Registered Nurse License Number
24 610857 to Stacy Lynn Wadsworth, also known as Stacy Lynn Covert ("Respondent"). The
25 license was in full force and effect at all times relevant to the charges brought herein and will
26 expire on November 30, 2010, unless renewed.

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1 nursing care as required or failure to provide care or to exercise ordinary precaution in a single
2 situation which the nurse knew, or should have known, could have jeopardized the client's health
3 or life."

4 8. California Code of Regulations, title 16, section 1443.5 states, in pertinent part:

5 "A registered nurse shall be considered to be competent when he/she consistently
6 demonstrates the ability to transfer scientific knowledge from social, biological and physical
7 sciences in applying the nursing process, as follows:

8 (5) Evaluates the effectiveness of the care plan through observation of the client's physical
9 condition and behavior, signs and symptoms of illness, and reaction to treatment and through
10 communication with the client and health team members, and modifies the plan as needed."

11 COST RECOVERY

12 9. Code section 125.3 provides, in pertinent part, that the Board may request the
13 administrative law judge to direct a licentiate found to have committed a violation or violations of
14 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
15 enforcement of the case.

16 **DRUGS**

17 10. "Morphine," is a Schedule II controlled substance as designated by Health and
18 Safety Code section 11055(b)(1)(M).

19 11. "Vicodin" is a compound consisting of 5 mg. hydrocodone bitartrate, also known
20 as dihydrocodeinone, a Schedule III controlled substance as designated by Health and Safety
21 Code section 11056(e)(4), and 500 mg. acetaminophen per tablet.

22 12. "Ativan," a brand of Lorazepam, is a Schedule IV controlled substance as
23 designated by Health and Safety Code section 11057(d)(13).

24 FIRST CAUSE FOR DISCIPLINE

25 **(Falsified, Made Incorrect or Inconsistent Entries In Hospital or Patient Records)**

26 13. Respondent is subject to discipline under Code section 2761(a), on the grounds of
27 unprofessional conduct as defined in Code section 2762(e), in that between January 19, 2008, and
28 August 7, 2008, while employed as a registered nurse at Tahoe Forest Hospital, located in

1 Truckee, California, Respondent falsified, made grossly incorrect, grossly inconsistent or
2 unintelligible entries in hospital or patient records pertaining to controlled substances or
3 dangerous drugs, in the following respects:

4 **Patient B:**

5 a. On or about June 10, 2008, at 0540 hours, Respondent signed out one (1) 2 mg.
6 injectable of Morphine. Respondent charted the administration of the 2 mg. of Morphine at 0600
7 hours. Respondent failed to chart the patient's pain scale.

8 b. On or about June 11, 2008, at 0133 hours, Respondent signed out two (2) Vicodin
9 tablets. Respondent charted the administration of two Vicodin tablets at 0145 hours, but failed to
10 document the patient's pain scale.

11 c. On or about June 11, 2008, at 0722 hours, Respondent signed out two (2) Vicodin
12 tablets. Respondent charted the administration of two Vicodin at 0750 hours, but failed to
13 document the patient's pain scale.

14 **Patient D:**

15 d. On or about June 17, 2008, at 0657 hours, Respondent signed out two (2) 1 mg.
16 tablets of Lorazepam, but failed to chart the administration of the Lorazepam in any hospital or
17 patient record.

18 **Patient K:**

19 e. On or about August 2, 2008, at 0433 hours, Respondent signed out two (2) 2 mg.
20 Morphine injectables, but failed to account for the disposition of the Morphine in any hospital or
21 patient record.

22 **Patient L:**

23 f. On or about August 7, 2008, at 0306 hours, Respondent signed out one (1) 10 mg.
24 Morphine injectable. Respondent charted the administration of Morphine, but failed to document
25 the amount of Morphine administered.

26 g. On or about August 7, 2008, at 0532 hours, Respondent signed out one (1) 10 mg.
27 Morphine injectable. Respondent charted the administration of Morphine, but failed to document
28 the amount of Morphine administered.

1 h. On or about August 7, 2008, at 0752 hours, Respondent signed out one (1) 10 mg.
2 Morphine injectable. Respondent charted the administration of Morphine, but failed to document
3 the amount of Morphine administered.

4 Patient N:

5 i. On or about January 19, 2008, at 1635 hours, Respondent signed out one (1) 10 mg.
6 Morphine injectable. Respondent charted the administration of 5 mg. of Morphine at 1700 hours,
7 but failed to account for the remaining 5 mg. of Morphine in any hospital or patient record.

8 j. On or about January 19, 2008, at 1839 hours, Respondent signed out one (1) 10 mg.
9 Morphine injectable. Respondent charted the administration of 5 mg. of Morphine at 1830 hours,
10 but failed to account for the remaining 5 mg. of Morphine in any hospital or patient record.

11 k. On or about January 19, 2008, at 2020 hours, Respondent signed out one (1) 10 mg.
12 Morphine injectable. Respondent charted the administration of 4 mg. of Morphine at 2015 hours,
13 but failed to account for the remaining 6 mg. of Morphine in any hospital or patient record.

14 SECOND CAUSE FOR DISCIPLINE

15 (Gross Negligence)

16 14. Respondent is subject to discipline under Code section 2761(a)(1), on the grounds of
17 unprofessional conduct, in that between January 19, 2008, and August 7, 2008, while employed
18 as a registered nurse at Tahoe Forest Hospital, located in Truckee, California, Respondent was
19 grossly negligent in the following respects:

20 a. Respondent falsified, made grossly incorrect, grossly inconsistent or unintelligible
21 entries in hospital or patient records, as more particularly set forth above in paragraph 13.

22 b. Respondent failed to exercise the standards of competent performance, as defined in
23 California Code of Regulations, title 16, section 1443.5(5), in that she failed to consistently,
24 completely and accurately conduct and document patient assessments pre/post administration of
25 medication, as more particularly set forth above in paragraph 13(a) - (c).

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1 THIRD CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 15. Respondent is subject to discipline under Code section 2761(a), on the grounds of
4 unprofessional conduct, in that between January 19, 2008, and August 7, 2008, while employed
5 as a registered nurse at Tahoe Forest Hospital, located in Truckee, California, Respondent
6 demonstrated unprofessional conduct, as more particularly set forth above in paragraph 14.

7 PRAYER

8 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
9 and that following the hearing, the Board of Registered Nursing issue a decision:

10 1. Revoking or suspending Registered Nurse License Number 610857, issued to Stacy
11 Karen Lynn Wadsworth, also known as Stacy Lynn Covert;

12 2. Ordering Stacy Lynn Wadsworth, also known as Stacy Lynn Covert, to pay the Board
13 of Registered Nursing the reasonable costs of the investigation and enforcement of this case,
14 pursuant to Business and Professions Code section 125.3; and,

15 3. Taking such other and further action as deemed necessary and proper.

16 DATED: 11/9/10

17 *for* Stacie Benn
18 LOUISE R. BAILEY, M.ED., RN
19 Interim Executive Officer
20 Board of Registered Nursing
21 Department of Consumer Affairs
22 State of California
23 Complainant

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